

Patent Docket P1101P1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

|                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|-------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| In re Application of<br><br>Ashkenazi et al.<br><br>Serial No.: 09/020,746<br><br>Filed: 9 February 1998<br><br>For: Apo-2 RECEPTOR | Group Art Unit: 1642<br><br>Examiner: To Be Assigned<br><br><b>CERTIFICATE OF MAILING</b><br>I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner of Patents, Washington, D.C. 20231 on<br><br>June <u>30</u> , 1998<br><br><i>Ann Savelli</i><br>printed name: <u>Ann Savelli</u> |
|-------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION**

BOX MISSING PART  
Assistant Commissioner of Patents  
Washington, D.C. 20231

Sir:

This is responsive to the Notice to File Missing Parts - Filing Date Granted dated 1 May 1998.  
Transmitted herewith are the following documents:

1. Declaration duly executed.
2. Copy of PTO-1533.

The Commissioner is hereby authorized to deduct the appropriate surcharge fee of \$130 associated with this communication or credit any overpayment to Deposit Account No. 07-0630. A duplicate of this sheet is enclosed.

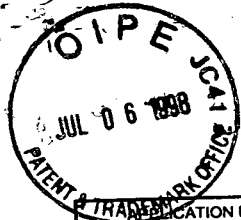
Respectfully submitted,  
GENENTECH, INC.

Date: June 30, 1998

By: *Diane L. Marschang*  
Diane L. Marschang  
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|                    |                     |                       |                           |
|--------------------|---------------------|-----------------------|---------------------------|
| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NO./TITLE |
| 05/000,746         | 02/09/98            | ASHKENAZI             |                           |

0362/0501

NOT ASSIGNED

GENENTECH INC  
DIANE L MARSCHANG  
1 DNA WAY  
SOUTH SAN FRANCISCO CA 94080-4990

1642

DATE MAILED: 05/01/98

### NOTICE TO FILE MISSING PARTS OF APPLICATION Filing Date Granted

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file all required items and pay fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the **SURCHARGE** set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☒ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a

☐ small entity (statement filed) ☒ non-small entity is \$ 130.00

☐ 1. The statutory basic filing fee is:

- ☐ missing.
- ☐ insufficient.

Applicant must submit \$ \_\_\_\_\_ to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

☐ 2. Additional claim fees of \$ \_\_\_\_\_, including any multiple dependent claim fees, are required.

\$ \_\_\_\_\_ for independent claims over 3.

\$ \_\_\_\_\_ for dependent claims over 20.

\$ \_\_\_\_\_ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

☒ 3. The oath or declaration:

- ☒ is missing or unexecuted.
- ☐ does not cover the newly submitted items.
- ☐ does not identify the application to which it applies.
- ☐ does not include the city and state or foreign country of applicant's residence.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

- ☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).
- ☐ 7. Your filing receipt was mailed in error because your check was returned without payment.
- ☐ 8. The application does not comply with the Sequence Rules.

See attached "Notice to Comply with Sequence Rules 37 CFR 1.821-1.825."

☐ 9. OTHER: 00000004 070630 09020746

07/13/1998 RECD 01 FT:105 Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

**A copy of this notice MUST be returned with the reply.**

C. Jackson  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE